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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dun Laoghaire Rathdown County Council**

**Planning Register Reference Number: D21A/0631.**

**Appeal** by Kaya and Mark Scannell care of Armstrong Planning Limited care of 12 Clarinda Park North, Dun Laoghaire, County Dublin against the decision made on the 24<sup>th</sup> day of August, 2021 by Dun Laoghaire Rathdown County Council to refuse a permission to the said Kaya and Mark Scannell for the proposed development.

**Proposed Development:** Permission is sought for the extension and recodifications of existing semi detached dwelling. The development will consist of the following principal elements: 1) construction of new single storey extension to the front and side and relocation of existing front door; 2) construction of new single storey extension with pitched roof to the rear; 3) an attic conversion and raising the roof and increased ridge height to allow for first floor accommodation and a balcony to the front; 4) demolition of the garage and conservatory; 5) reconfiguration of existing side, front and rear elevations to include new windows, 10 number of roof lights and associated works; 6) relocation of the existing vehicular entrance with new 3.5 metres gate and alteration to existing front garden to create an additional car parking space, new pedestrian entrance, permission for dishing of public footpath and

all associated landscaping and ancillary works, all at 11 Ballinclea Heights, Killiney, County Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the provisions of the current Dún Laoghaire-Rathdown County Development Plan, and to the scale, form and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The covered bicycle stand and bin storage proposed to the front of the dwelling shall be relocated to the rear.

**Reason:** In the interest of visual amenity.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

4. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

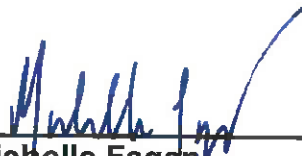
5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of

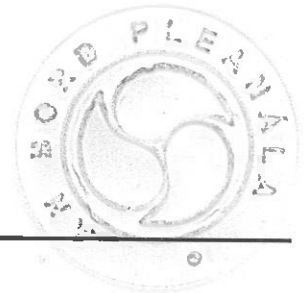
payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Michelle Fagan

Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.



Dated this 21<sup>st</sup> day of January 2022.